

BOARD OF ASSESSMENT REVIEW MEETING MINUTES

DATE: Tuesday, January 19, 2010

LOCATION: Municipal Court Room

MEMBERS PRESENT: Marilyn Sciarillo, Sandra Lueder, and Cornelius Collins

TOWN ASSESSOR: Charles E. Vacca

Jennifer Misto, Account Clerk III

Meeting was called to order at 2:35 p.m.

**Petition #7 – Lyman, Christopher & Gina 6 Hamilton Rd. A/P 129/1H
Homeowners were there to present their case to the Board.**

They stated that they feel their assessment is unfair especially considering the sales that have taken place in their area. Made the following statements to support their case:

- “One of the highest valued homes on the street”, 1-3 Hamilton Road sold on 03/27/09 for \$605,000. Substantially lower than the assessed value of \$725,200.**
- Letter dated 10/28/09 from their bank stating their equity line of**

credit had been lowered. The bank believed their home to be valued at \$476,273. Homeowners opted to have the bank do an appraisal at their own expense. This appraisal came out as \$605,000 increasing their line of credit.

Question by Neil to homeowners: What was the appraisal when they got the original line of credit? Homeowners were unable to answer this question at the time.

It was stated by the board members that their assessment is as of 12/31/06 and any recent sales did not have any bearing on their case. Homeowners stated their confusion believing that was not the case at their previous hearing. A discussion took place about the date of their last appeal before the Board. A brief intermission occurred at this point in the hearing to gather the records from the Assessor's Office.

It is noted for the record that the tape had not been running upon continuation of the meeting. Once discovered, the meeting was paused to turn on the tape and the minutes were read. A copy of the transcript from the meeting will be mailed to the homeowners.

After a brief recap of the meeting up to this point, the meeting continued.

The homeowners did go before the Board in 2005 getting a decision of No Change. There was a reduction by the Assessor in 2007.

Homeowners further appealed to the Board but no further reduction had been made.

The Assessor joined the meeting at this point in time. Homeowners objected to the description of “custom” on their property record card.

Stated that because they did the work themselves and put special touches that took extra time it did not mean more money. The Assessor defined custom as a way of looking at replacement cost of the home. Design, hip roofs, overhangs, etc. not just materials for the interior.

Petition #11 – Orthwein, James B. & Jane – 11 Waters Edge A/P 179/016

Stephen McAndrew was present on the behalf of the homeowners.

Court ordered stipulation: Plaintiffs’ assessment of Dec 31, 2006, in the amount of \$9,876,000 shall be reduced by \$1,476,000 to reflect an assessment of \$8,400,000 for the tax period of January 1, 2007, to December 31, 2007.

Assessment reduction did not carry over to the next year because they failed to file an appeal in 2008. Stephen stated the court obviously saw an error in the assessment for the time period of December 31, 2006 and as such the assessment should remain at \$8,400,000 for the 2008 and 2009 tax bills.

The assessor discussed the court ordered appraisal done by Peter Scotti. He disagreed with the comparisons used in this appraisal. The view factor was not factored in fairly according to Charlie so he made adjustments for the 2 lots used. The Assessor believed \$8,997,400 to be more in line.

Petition #12 – Russell, Edwin & Alicia – 5 Ninigret Ave A/P 179/060

Stephen McAndrew was present on the behalf of the homeowners. Court ordered stipulation: Plaintiff's assessment of 12/31/06 in the amount of \$5,835, 900 shall be reduced by \$317,500 to reflect an assessment of \$5,518,400 for the tax period of 1/1/07- 12/31/07. This reduction in assessment applies only to the stated taxable year.

Mr. McAndrew asks that the assessment get reduced to the court ordered stipulation of \$5,815,400 for the current tax year.

Petition #10- White, Nelson C. Jr. – 35 Foster Cove Road A/P 179/28

Stephen McAndrew was present on the behalf of the homeowners. Stated the assessment should be more in line with the \$6 million range. Mr. McAndrew sited an appraisal done by him for subject property dated as of 12/31/06. The comparables used were 11 Arraquat Rd, 15 Wapan Rd. and 6 Aquidneck Ave. The Assessor questioned the adjustments made by Mr. McAndrew in his appraisal.

There is no further business before the Board at this time. Ms. Sciarillo adjourned the meeting. Decisions from today's meeting are pending until the next meeting.

Respectfully submitted,

Marilyn Sciarillo

Chairperson